

dered to be engrossed.

On motion of Mr Armstrong, the rule was suspended, bill read third time and passed.

On motion of Mr Guinn, a "bill for the relief of George B Br warig, his heirs or assigns," was taken up, read and ordered to be engrossed.

On motion of Mr Guinn, the rule was suspended; read third time and passed.

On motion of Mr Burroughs, "a bill for the relief of Ezekiel Vickers," was taken up, read and ordered to be engrossed.

On motion of Mr Burroughs, the rule was suspended, bill read third time and passed.

A bill to provide for the support of schools; read third time and passed.

On motion of Mr Weatherford, the Senate adjourned till 10 o'clock, Monday morning.

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MONDAY, Dec. 31st., 1855.

The Senate was called to order by the President, pursuant to adjournment, Prayer by the Chaplain—Roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Taylor of Fannin, chairman of the committee on Private Land Claims No. 1 made the following report.

The committee on Private Land Claims have considered the memorial of S. D. Rainey praying for land, and have come to the conclusion, that he is entitled to the relief prayed. It appeared from reliable testimony (the witnesses being known to most of the committee) that said Rainey emigrated to Texas in 1837, that he received a certificate for 640 acres of land from the board of land commissioners, which was not recommended by the travelling board of land commissioners, for the reason that he, in settling believed himself to be in Texas, but after his settlement, the boundary line between the United States and Texas was run, which left him without the limits of Texas. After which, he moved into this State, in which he has resided without intermission ever since. The committee believe from this, that under the law, he would not be entitled to land, but considering his long residence in Texas, and it being no fault of the petitioner, that the boundary line was not run, that he is equitably entitled to land. They therefore report the accompanying bill and recommend its passage.

"A Bill for the relief of S. D. Rainey" Read 1st time.

The committee on private land claims have considered the claim of Richard Alderson for land. The testimony shows, that he emigrated and settled in Peters Colony, before the expiration of the contract for settling said colony.

That the reason he did not stay the three years he was required to remain, by said contract, is that, he was poor and compelled by disease to go the State of Kentucky to procure medical aid, his family being removed to Bonham, he being very poor, and his family helpless, and no provisions to be then had in his settlement—considering the facts—the act of providence preventing him from complying with the letter of the law, the committee are of opinion that he should have the land. They therefore report the accompanying bill for 640 acres, and recommend its passage.

A bill for the relief of Richard Alderson; read first time.

Mr Quinn, chairman of the committee on engrossed bills, reported correctly engrossed,

A bill to incorporate the Henderson and State line Rail Road Company.

A bill for the relief of George B. Browning, his heirs or assigns.

A bill supplementary to an act to incorporate the town of Jefferson, approved 20th March, 1848.

A bill to change the name of Margaret Catharine Burks to Margaret Catharine Moore, and that of Emily Jane Burks to Emily Jane Clarke.

A bill for the relief of Ezekiel Vickers.

A bill for the relief of Dicy Craig, formerly Dicy Henderson.

And, a bill to define more particularly the Eastern boundary line of Bastrop county.

Mr Russell, from the same committee, reported the following bills correctly engrossed:

A bill to provide for jury trials in the corporation courts of the various town and city corporations of this State.

A bill to create the county of Atascosa.

A bill for the relief of Wm. Rawlins.

A bill for the relief of the heirs of John Ragsdale.

A bill requiring the Commissioner of the General land office to issue a certificate for 640 acres of land to the heirs of Bradbury S. Fallet.

A bill for the relief of the heirs of Elizabeth Jones. And

A bill for the relief of Elizabeth Finley.

Mr Taylor of Cass, chairman of the committee on public debt to which was referred a bill for the relief of Collin McKinney, reported the same back, recommending its passage.

Mr Millican, chairman of the committee on roads, bridges and ferries, to which was referred a bill to incorporate the Guadalupe bridge company, reported the same back, recommending its passage.

Mr Taylor of Cass, introduced a bill to validate an election to be held in the 11th Representative District, composed of the counties of Cass and Titus; read first and second times and ordered to be engrossed.

On motion of Mr Taylor of Cass, the rule was suspended, bill read third time and passed.

Mr Taylor of Houston, introduced a bill to grant to Benjamin T. Duval the privilege of establishing a Ferry on the Neches River, and to protect his Mills from back-water; read first and second times and referred to the committee on roads, bridges and ferries.

Mr White introduced a bill to amend the 1st section of an act on limitations; read first and second times and referred to the committee on State affairs.

Mr Caldwell introduced a bill for the relief of the heirs of James C. Early deceased; read first and second times and referred to the committee on public lands.

Mr Armstrong introduced a bill for the relief of the heirs of Wm. Coltrin. And a bill for the relief of the heirs of Rush Jamison, each read first and second times and referred to the committee on private land claims, no. 2.

#### ORDERS OF THE DAY.

A bill for the relief of the heirs of Andrew P. Cunningham; read third time and passed.

A bill supplementary to an act to incorporate the town of Jefferson, approved 20th March 1843; read.

On motion of Mr Taylor of Cass, the vote which engrossed the bill on Saturday last, was reconsidered—the bill was then ordered to be engrossed.

On motion of Mr Taylor of Cass, the rule was suspended, bill read third time and passed, by the following vote:

YEAS—Messrs. Armstrong, Bryan, Burroughs, Caldwell, Dane, Flanagan, Grimes, Guinn, Lott, Martin, Maverick, Millican, Palmer, Pirkey, Potter, Russel, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker, White and Wren, 23.

NAYS—None.

A bill to permit the county of Houston to levy a special tax for rail road purposes; read third time and passed by the following vote:

YEAS—Messrs. Allen, Bryan, Caldwell, Doane, Flanagan, Grimes, Guinn, Lott, Maverick, Palmer, Pirkey, Potter, Russel,

Taylor of Fannin, Taylor of Houston, and Whitaker—16.

YAYS—Messrs. Martin, Millican, Taylor of Cass, Truit Weatherford, White and Wren—7.

A bill to authorize the Auditor and Comptroller to audit bond No. 164 of the 10 per cent consolidated stock of 5th February, 1840; read and ordered to be engrossed.

The following House bills were severally read and passed to a third reading.

A bill for the relief of E. M. Thomason and others.

A bill for the relief of C. M. Goodsty. And

A bill for the relief of R. A. Powdrell.

A bill making an appropriation for the *per diem* pay and mileage of the members of the sixth Legislature and the *per diem* pay of the officers of the same, together with the report of the committee on Finance, offering an amendment thereto, was read, amendment adopted and bill passed to a third reading.

On motion of Mr Taylor of Cass, the rule was suspended, bill read third time and passed.

A bill to provide a permanent and safe building for the use of the State Department, the Executive and the Attorney General of the State of Texas; read and passed to a third reading by the following vote:

YEAS—Messrs. Allen, Bryan, Caldwell, Doane, Grimes, Martin, Maverick, Palmer, Potter, Taylor of Cass, Taylor of Houston, Whitaker, and White—13.

NAYS—Messrs. Armstrong, Burroughs, Flanagan, Guinn, Lott, Millican, Pirkey, Russel, Taylor of Fannin, Truit, Weatherford and Wren—12.

The report of the committee on the Judiciary, on a bill to establish a court for the investigation of claims against the State of Texas, read, and on motion of Mr Potter the report and bill were laid on the table.

A bill for the protection of actual settlers; read.

Mr Martin offered the following amendment:

Strike out "from one thousand to ten thousand," and insert "from one hundred to one thousand"—rejected.

Mr Potter offered the following amendment:

In sec. 1 after the word "person," insert the words "under title, color of title, deed, or lawful pre-emption claim."

On motion of Mr Palmer the bill and amendment were referred to the committee on the Judiciary.

A bill for the relief of pre-emptors, together with the report of the committee on public lands, offering a substitute thereto, was read and the substitute adopted.

On motion of Mr Guinn, the bill was amended by adding the following proviso:

"Provided said affidavit was made prior to the 21st day of December 1853, or settled before the above date."

Mr Weatherford offered the following amendment:

Strike out the latter clause of 1st section which includes those who have settled within the Mis-issipi Rail Road Reserve.

On motion of Mr Flanagan, the bill and amendment were referred to the Judiciary committee.

A bill to provide for a geological survey and examination of the State, together with the report of the committee on State affairs, offering a substitute therefor, were read and substitute adopted.

Mr Taylor of Cass, offered the following amendment:

Strike out in 1st section, all after the word "Texas," and insert "at a salary of two thousand dollars per annum"—adopted by the following vote:

YEAS—Messrs. Armstrong, Barrroughs, Flanagan, Grimes, Martin, Millican, Pirkey, Russel, Taylor of Cass, Taylor of Fannin, Truit, Weatherford and Wren—13.

NAYS—Messrs. Allen, Bryan, Caldwell, Guinn, Lott, Maverick, Palmer, Potter, Taylor of Houston, Whitaker and White—11.

Mr Guinn moved to lay the bill on the table; lost.

Mr Palmer offered the following amendment:

"And that the sum of one thousand dollars per annum be and the same is hereby appropriated for paying the contingent expenses of such surveys as may be made by said Geologist; adopted.

Mr White moved to refer the bill to a select committee"—lost.

Mr Taylor of Cass, moved to indefinitely postpone the bill; lost by the following vote:

AYES—Messrs. Armstrong, Barrroughs, Russel, Taylor of Cass, Truit, Weatherford, White and Wren—8.

NAYS—Messrs. Allen, Bryan, Caldwell, Flanagan, Grimes, Guinn, Hord, Lott, Martin, Maverick, Millican, Palmer, Pedigo, Pirkey, Potter, Taylor of Houston and Whitaker—17.

The bill was then ordered to be engrossed by the following vote:

YEAS—Messrs. Allen, Bryan, Caldwell, Doane, Flanagan, Grimes, Guinn, Hord, Lott, Martin, Maverick, Palmer, Pedigo, Pirkey, Potter, Taylor of Houston, and Whitaker—17.

NAYS—Messrs. Armstrong, Barrroughs, Millican, Russel, Taylor of Cass, Truit, Weatherford, White and Wren—9.

Mr Guinn, chairman of the committee on engrossed bills, reported a bill to authorize the Auditor and Comptroller to audit

bond 164 of the ten per cent consolidated stock of 5th of February 1848, correctly engrossed.

Mr Caldwell introduced a bill to incorporate the city of Austin; read first and second times and referred to the committee on the Judiciary.

Mr Millican introduced a bill to incorporate the Yegua turnpike and bridge company; read first and second times and referred to the committee on roads, bridges and ferries.

On motion of Mr Flanagan, the Senate adjourned till ten o'clock to-morrow morning.

TUESDAY, January 1st, 1856.

The Senate was called to order by the President, pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr Wren presented the petition of H. Blummett and of Louisa Netherly—referred to the committee on Private Land Claims, No. 2.

Mr Grimes, chairman of the committee on Finance, made the following report:

The committee on Finance have considered "a bill, supplementary to an act to provide for the assessment and collection of taxes." They find the principle change in the existing law, contemplated by the bill before them, is to allow assessors and collectors to advertise for the term of fifteen days, that he will attend at a specified time at the several election precincts in his county, for assessing and likewise for collecting the taxes of his county; subjecting all who do not avail themselves of the notice, to all the penalties now imposed by law on such persons as fail or refuse to give in, or pay their taxes.

The committee are of opinion that it would be unjust and impolitic, to impose penalties upon those who might be so unfortunate as not to see the notice, or hear of the appointed time.

The citizens generally consider they have performed their duty in this respect to the State, when they give in, and pay their taxes promptly, in the manner provided by the existing law. Further, the committee know from observation, that good and competent men will accept the office of assessor and collector for the compensation now allowed by law. The existing law has been in force for six years, has been pretty well understood, and answers all necessary purposes when well executed. The committee therefore, return the same, and recommend that no further action be had thereon.

Mr Potter, chairman of the committee on the Judiciary, to